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Document Page 1 of 12 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re: KIRK, JOHN MICHAEL	§ Case No. 09-24097
	§
KIRK, MICHAEL	§
Debtor(s)	§

TRUSTEE'S FINAL REPORT (TFR)

The undersigned trustee hereby makes this Final Report and states as follows:

- 1. A petition under Chapter 7 of the United States Bankruptcy Code was filed on July 01, 2009. The undersigned trustee was appointed on July 01, 2009.
 - 2. The trustee faithfully and properly fulfilled the duties enumerated in 11 U.S.C. §704.
- 3. All scheduled and known assets of the estate have been reduced to cash, released to the debtor as exempt property pursuant to 11 U.S.C. § 522, or have been or will be abandoned pursuant to 11 U.S.C. § 554. An individual estate property record and report showing the disposition of all property of the estate is attached as **Exhibit A.**

Exemptions paid to the debtor

Other payments to the debtor 0.00Leaving a balance on hand of $\frac{1}{2}$ \$ 13,639.23

0.00

The remaining funds are available for distribution.

5. Attached as **Exhibit B** is a cash receipts and disbursements record for each estate bank account.

¹ The balance of funds on hand in the estate may continue to earn interest until disbursed. The interest earned prior to disbursement will be distributed pro rata to creditors within each priority category. The trustee may receive additional compensation not to exceed the maximum compensation set forth under 11 U.S.C. § 326(a) on account of the disbursement of the additional interest.

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- 6. The deadline for filing non-gowernmental claims and the deadline for filing governmental claims was 12/28/2009. All claims of each class which will receive a distribution have been examined and any objections to the allowance of claims have been resolved. If applicable, a claims analysis, explaining why payment on any claim is not being made, is attached as **Exhibit C**.
 - 7. The Trustee's proposed distribution is attached as **Exhibit D**.
- 8. Pursuant to 11 U.S.C. § 326(a), the maximum compensation allowable to the trustee is \$3,250.13. To the extent that additional interest is earned before case closing, the maximum compensation may increase.

The trustee has received \$0.00 as interim compensation and now requests the sum of \$3,250.13, for a total compensation of \$3,250.13. In addition, the trustee received reimbursement for reasonable and necessary expenses in the amount of \$26.44 and now requests reimbursement for expenses of \$0.00, for total expenses of \$26.44.

Pursuant to Fed R Bank P 5009, I hereby certify, under penalty of perjury, that the foregoing report is true and correct.

Date: 07/14/2014	By:/s/JOHN E. GIERUM
	Trustee

 $\textbf{STATEMENT:} \ This \ Uniform \ Form \ is \ associated \ with \ an \ open \ bankruptcy \ case, \ therefore, \ Paperwork \ Reduction \ Act \ exemption \ 5 \ C.F.R. \ \S \ 1320.4(a)(2) \ applies.$

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Exhibit A Page: 1

Form 1 **Individual Estate Property Record and Report Asset Cases**

Trustee: **Case Number:** 09-24097 (520171)JOHN E. GIERUM

Filed (f) or Converted (c): 07/01/09 (f) Case Name: KIRK, JOHN MICHAEL

> §341(a) Meeting Date: 07/31/09

Claims Bar Date: Period Ending: 07/14/14 03/09/10

	1	2	3	4	5	6
Ref.#	Asset Description (Scheduled And Unscheduled (u) Property)	Petition/ Unscheduled Values	Estimated Net Value (Value Determined By Trustee, Less Liens, Exemptions, and Other Costs)	Property <u>Abandoned</u> OA=§554(a)	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
1	Kirk v Southern Graphic Systems Lawsuit (s)	Unknown	25,000.00		25,000.00	FA
2	210 E. Witchwood Ln, Lake Bluff, IL 60044	800,000.00	0.00		0.00	FA
3	Checking (s)	2,000.00	0.00		0.00	FA
4	Interest in household goods (s)	500.00	0.00		0.00	FA
5	Books, etc. (s)	300.00	0.00		0.00	FA
6	Clothing (s)	500.00	0.00		0.00	FA
7	Wedding ring etc. (s)	500.00	0.00		0.00	FA
8	Term life insurance (s)	0.00	0.00		0.00	FA
9	1998 Lincoln (s)	3,000.00	0.00		0.00	FA
Int	INTEREST (u)	Unknown	N/A		1.33	Unknown
10	Assets Totals (Excluding unknown values)	\$806,800.00	\$25,000.00		\$25,001.33	\$0.00

Major Activities Affecting Case Closing:

accountant retained and working on taxes, claims review nearly complete and getting ready to close

Initial Projected Date Of Final Report (TFR): **Current Projected Date Of Final Report (TFR):** June 30, 2013 December 31, 2014

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Form 2 **Cash Receipts And Disbursements Record**

Case Number: 09-24097

Case Name: KIRK, JOHN MICHAEL Trustee: JOHN E. GIERUM (520171) Bank Name: The Bank of New York Mellon

****-****75-65 - Checking Account Account:

Blanket Bond: \$5,000,000.00 (per case limit)

Taxpayer ID #: **-***4708 Period Ending: 07/14/14 Separate Bond: N/A

1	2	3	4		5	6	7
Trans.	{Ref #} /				Receipts	Disbursements	Checking
Date	Check #	Paid To / Received From	Description of Transaction	T-Code	\$	\$	Account Balance
04/25/11	{1}	Fultz Maddox Hovious & Dickens	Settlement - Kirk v. Southern Graphic Systems	1129-000	25,000.00		25,000.00
		PLC					
04/29/11	Int	The Bank of New York Mellon	Interest posting at 0.0100%	1270-000	0.03		25,000.03
05/31/11	Int	The Bank of New York Mellon	Interest posting at 0.0100%	1270-000	0.21		25,000.24
06/30/11	Int	The Bank of New York Mellon	Interest posting at 0.0100%	1270-000	0.20		25,000.44
07/15/11		To Account #*******7566	TRANSFER OF FUNDS	9999-000		10,026.81	14,973.63
07/29/11	Int	The Bank of New York Mellon	Interest posting at 0.0100%	1270-000	0.17		14,973.80
08/01/11		The Bank of New York Mellon	Bank and Technology Services Fee	2600-000		40.39	14,933.41
08/31/11	Int	The Bank of New York Mellon	Interest posting at 0.0100%	1270-000	0.12		14,933.53
08/31/11		The Bank of New York Mellon	Bank and Technology Services Fee	2600-000		34.79	14,898.74
09/26/11		The Bank of New York Mellon	Bank and Technology Services Fee Adjustment	2600-000		-1.03	14,899.77
09/30/11	Int	The Bank of New York Mellon	Interest posting at 0.0100%	1270-000	0.12		14,899.89
09/30/11		The Bank of New York Mellon	Bank and Technology Services Fee	2600-000		30.62	14,869.27
10/31/11	Int	The Bank of New York Mellon	Interest posting at 0.0100%	1270-000	0.12		14,869.39
10/31/11		The Bank of New York Mellon	Bank and Technology Services Fee	2600-000		29.53	14,839.86
11/30/11	Int	The Bank of New York Mellon	Interest posting at 0.0100%	1270-000	0.12		14,839.98
11/30/11		The Bank of New York Mellon	Bank and Technology Services Fee	2600-000		32.52	14,807.46
12/30/11	Int	The Bank of New York Mellon	Interest posting at 0.0100%	1270-000	0.12		14,807.58
12/30/11		The Bank of New York Mellon	Bank and Technology Services Fee	2600-000		30.42	14,777.16
01/31/12	Int	The Bank of New York Mellon	Interest posting at 0.0100%	1270-000	0.12		14,777.28
01/31/12		The Bank of New York Mellon	Bank and Technology Services Fee	2600-000		32.30	14,744.98
02/07/12		To Account #*******7566	TRANSFER OF FUNDS	9999-000		13.40	14,731.58
02/29/12		The Bank of New York Mellon	Bank and Technology Services Fee	2600-000		29.18	14,702.40
03/30/12		The Bank of New York Mellon	Bank and Technology Services Fee	2600-000		30.12	14,672.28
04/30/12		The Bank of New York Mellon	Bank and Technology Services Fee	2600-000		29.06	14,643.22
05/31/12		The Bank of New York Mellon	Bank and Technology Services Fee	2600-000		33.01	14,610.21
06/29/12		The Bank of New York Mellon	Bank and Technology Services Fee	2600-000		28.93	14,581.28
07/09/12		To Account #*******7566	TRANSFER OF FUNDS	9999-000		14,581.28	0.00

ACCOUNT TOTALS 25,001.33 25,001.33 \$0.00 Less: Bank Transfers 0.00 24,621.49 25,001.33 379.84 Subtotal Less: Payments to Debtors 0.00 **NET Receipts / Disbursements** \$25,001.33 \$379.84

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Form 2 Cash Receipts And Disbursements Record

Case Number: 09-24097

Case Name: KIRK, JOHN MICHAEL

Trustee: JOHN E. GIERUM (520171)

Bank Name: The Bank of New York Mellon

Account: ****-****75-66 - Checking Account

Blanket Bond: \$5,000,000.00 (per case limit)

Separate Bond: N/A

Taxpayer ID #: **-***4708
Period Ending: 07/14/14

1	2	3	4		5	6	7
Trans. Date	{Ref #} / Check #	Paid To / Received From	Description of Transaction	T-Code	Receipts \$	Disbursements	Checking Account Balance
07/15/11		From Account #******7565	TRANSFER OF FUNDS	9999-000	10,026.81		10,026.81
07/19/11	101	Phillip A. Martin, Esq.	Special Counsel fees and expenses			10,026.81	0.00
			10,000.00	3210-600			0.00
			26.81	3220-610			0.00
02/07/12		From Account #******7565	TRANSFER OF FUNDS	9999-000	13.40		13.40
02/10/12	102	JOHN E. GIERUM	BOND PREMIUM PAYMENT ON LEDGER BALANCE AS OF 02/01/2012 FOR CASE #09-24097, Reimbursement for Ch. 7 Blanket Bond on ledger balance as of 2/1/2012	2200-000		13.40	0.00
07/09/12		From Account #******7565	TRANSFER OF FUNDS	9999-000	14,581.28		14,581.28
07/31/12		The Bank of New York Mellon	Bank and Technology Services Fee	2600-000		25.00	14,556.28
08/31/12		The Bank of New York Mellon	Bank and Technology Services Fee	2600-000		30.82	14,525.46
09/28/12		The Bank of New York Mellon	Bank and Technology Services Fee	2600-000		27.77	14,497.69
10/31/12		The Bank of New York Mellon	Bank and Technology Services Fee	2600-000		32.67	14,465.02
11/30/12		The Bank of New York Mellon	Bank and Technology Services Fee	2600-000		29.64	14,435.38
12/31/12		The Bank of New York Mellon	Bank and Technology Services Fee	2600-000		28.59	14,406.79
01/03/13		RABOBANK MIGRATION TRANSFER OUT	TRANSFER TO 0001052017188 20130103	9999-000		14,406.79	0.00

 ACCOUNT TOTALS
 24,621.49
 24,621.49
 \$0.00

 Less: Bank Transfers
 24,621.49
 14,406.79

 Subtotal
 0.00
 10,214.70

 Less: Payments to Debtors
 0.00

 NET Receipts / Disbursements
 \$0.00
 \$10,214.70

{} Asset reference(s) Printed: 07/14/2014 02:27 PM V.13.15

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Form 2 Cash Receipts And Disbursements Record

 Case Number:
 09-24097

 Trustee:
 JOHN E. GIERUM (520171)

Bank Name: Rabobank, N.A.

Account: ******4866 - Checking Account

Blanket Bond: \$5,000,000.00 (per case limit)

Period Ending: 07/14/14 Separate Bond: N/A

Case Name:

Taxpayer ID #: **-***4708

KIRK, JOHN MICHAEL

1	2	3	4		5	6	7
Trans. Date	{Ref #} / Check #	Paid To / Received From	Description of Transaction	T-Code	Receipts \$	Disbursements \$	Checking Account Balance
01/04/13		RABOBANK MIGRATION TRANSFER IN	RABOBANK MIGRATION	9999-000	14,406.79		14,406.79
01/31/13		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		22.09	14,384.70
02/08/13	10103	JOHN E. GIERUM	BOND PREMIUM PAYMENT ON LEDGER BALANCE AS OF 02/08/2013 FOR CASE #09-24097, Reimbursement for Ch. 7 Blanket Bond on ledger balance as of 2/1/2013	2300-000		15.94	14,368.76
02/28/13		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		19.29	14,349.47
03/29/13		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		19.94	14,329.53
04/30/13		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		21.98	14,307.55
05/31/13		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		21.26	14,286.29
06/28/13		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		19.17	14,267.12
07/31/13		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		22.57	14,244.55
08/30/13		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		20.48	14,224.07
09/30/13		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		19.77	14,204.30
10/31/13		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		22.47	14,181.83
11/29/13		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		19.03	14,162.80
12/31/13		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		22.40	14,140.40
01/31/14		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		21.01	14,119.39
02/28/14		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		18.95	14,100.44
03/04/14	10104	JOHN E. GIERUM	BOND PREMIUM PAYMENT ON LEDGER BALANCE AS OF 02/01/2014 FOR CASE #09-24097, Reimbursement for Ch. 7 Blanket Bond on ledger balance as of 02/01/14	2200-000		13.04	14,087.40
03/31/14		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		19.59	14,067.81
04/23/14	10105	Illinois Department of Revenue	2011 IL-1040/IL-1041	2820-000		407.00	13,660.81
04/30/14		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		21.58	13,639.23

 ACCOUNT TOTALS
 14,406.79
 767.56
 \$13,639.23

 Less: Bank Transfers
 14,406.79
 0.00

 Subtotal
 0.00
 767.56

 Less: Payments to Debtors
 0.00

 NET Receipts / Disbursements
 \$0.00
 \$767.56

{} Asset reference(s) Printed: 07/14/2014 02:27 PM V.13.15

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Form 2 Cash Receipts And Disbursements Record

Case Number: 09-24097

Case Name:

KIRK, JOHN MICHAEL

Trustee: JOHN E. GIERUM (520171)

Bank Name: Rabobank, N.A.

Account: ******4866 - Checking Account

Blanket Bond: \$5,000,000.00 (per case limit)

Separate Bond: N/A

Taxpayer ID #: **-***4708 **Period Ending:** 07/14/14

1	2	3	4		5	6	7
Trans.	{Ref #} /				Receipts	Disbursements	Checking
Date	Check #	Paid To / Received From	Description of Transaction	T-Code	\$	\$	Account Balance

TOTAL - ALL ACCOUNTS	Net Receipts	Net Disbursements	Account Balances
Checking # ****-****75-65	25,001.33	379.84	0.00
Checking # ****-****75-66	0.00	10,214.70	0.00
Checking # ******4866	0.00	767.56	13,639.23
	\$25,001.33	\$11,362.10	\$13,639.23

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Claims Proposed Distribution Case: 09-24097 KIRK, JOHN MICHAEL

\$13,639.23 **Total Proposed Payment:** \$0.00 Case Balance: \$13,639.23 **Remaining Balance:**

Claim #	Claimant Name	Туре	Amount Filed	Amount Allowed	Paid to Date	Claim Balance	Proposed Payment	Remaining Funds
12	John D. Colbert & Associates	Secured	30,687.74	30,687.74	0.00	30,687.74	0.00	13,639.23
	Illinois Department of Revenue <2820-00 Other State or Loc	Admin Ch. 7	407.00	407.00	407.00	0.00	0.00	13,639.23
	JOHN E. GIERUM <2100-00 Trustee Compens	Admin Ch. 7	3,250.13	3,250.13	0.00	3,250.13	3,250.13	10,389.10
	Phillip A. Martin, Esq. <3210-60 Special Counsel f	Admin Ch. 7 or Trustee Fees>	10,000.00	10,000.00	10,000.00	0.00	0.00	10,389.10
	Phillip A. Martin, Esq. <3220-61 Special Counsel f	Admin Ch. 7 or Trustee Exper	26.81 nses>	26.81	26.81	0.00	0.00	10,389.10
	Lois West, Popowcer Katten Ltd. <3410-00 Accountant for Tri		931.00	931.00	0.00	931.00	931.00	9,458.10
	JOHN E. GIERUM <2200-00 Trustee Expenses	Admin Ch. 7	26.44	26.44	26.44	0.00	0.00	9,458.10
4P	Illinois Department of Revenue	Priority	1,270.34	1,270.34	0.00	1,270.34	1,270.34	8,187.76
13P	Department of the Treasury	Priority	4,276.54	4,276.54	0.00	4,276.54	4,276.54	3,911.22
1	DISCOVER BANK	Unsecured	12,175.35	12,175.35	0.00	12,175.35	199.70	3,711.52
2	Seyfarth Shaw, LLP	Unsecured	84,428.63	84,428.63	0.00	84,428.63	1,384.80	2,326.72
3	American Express Centurion Bank	Unsecured	23,508.96	23,508.96	0.00	23,508.96	385.59	1,941.13
4U	Illinois Department of Revenue	Unsecured	482.32	482.32	0.00	482.32	7.91	1,933.22
5	Us Dept Of Education	Unsecured	25,463.41	25,463.41	0.00	25,463.41	417.65	1,515.57
6	Us Dept Of Education	Unsecured	14,941.18	14,941.18	0.00	14,941.18	245.07	1,270.50
7	Us Dept Of Education	Unsecured	10,247.58	10,247.58	0.00	10,247.58	168.08	1,102.42
8	PYOD LLC its successors and assigns as assignee of	Unsecured	12,885.74	12,885.74	0.00	12,885.74	211.35	891.07
9	PYOD LLC its successors and assigns as assignee of	Unsecured	19,204.92	19,204.92	0.00	19,204.92	315.00	576.07
10	Midland Funding LLC	Unsecured	3,676.96	3,676.96	0.00	3,676.96	60.31	515.76
11	Fia Card Services, NA/Bank of America	Unsecured	28,415.89	28,415.89	0.00	28,415.89	466.08	49.68
13U	Department of the Treasury	Unsecured	3,029.02	3,029.02	0.00	3,029.02	49.68	0.00

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Claims Proposed Distribution

Case: 09-24097 KIRK, JOHN MICHAEL

Case Balance: \$13,639.23 Total Proposed Payment: \$13,639.23 Remaining Balance: \$0.00

Amount Amount Paid Claim Proposed Remaining Claim # Claimant Name Type Filed Allowed to Date Balance Payment Funds

Total for Case 09-24097: \$289,335.96 \$289,335.96 \$10,460.25 \$278,875.71 \$13,639.23

CASE SUMMARY

	Amount Filed	Amount Allowed	Paid to Date	Proposed Payment	% paid
Total Administrative Claims :	\$14,641.38	\$14,641.38	\$10,460.25	\$4,181.13	100.000000%
Total Priority Claims :	\$5,546.88	\$5,546.88	\$0.00	\$5,546.88	100.000000%
Total Secured Claims :	\$30,687.74	\$30,687.74	\$0.00	\$0.00	0.000000%
Total Unsecured Claims :	\$238,459.96	\$238,459.96	\$0.00	\$3,911.22	1.640200%

TRUSTEE'S PROPOSED DISTRIBUTION

Exhibit D

Case No.: 09-24097

Case Name: KIRK, JOHN MICHAEL Trustee Name: JOHN E. GIERUM

Balance on hand:

13,639.23

Claims of secured creditors will be paid as follows:

Claim	Claimant	Claim	Allowed Amount	Interim Payments	Proposed
No.		Asserted	of Claim	to Date	Payment
		None			

Total to be paid to secured creditors: \$ 0.00

Remaining balance: \$ 13,639.23

Applications for chapter 7 fees and administrative expenses have been filed as follows:

Reason/Applicant	Total Requested	Interim Payments to Date	1 1
Trustee, Fees - JOHN E. GIERUM	3,250.13	0.00	3,250.13
Accountant for Trustee, Fees - Lois West, Popowcer Katter Ltd.	931.00	0.00	931.00

Applications for prior chapter fees and administrative expenses have been filed as follows:

Reason/Applicant	Total Requested	Interim Payments to Date	*
None			

Total to be paid for prior chapter administrative expenses: \$ 0.00 Remaining balance: \$ 9,458.10

In addition to the expenses of administration listed above as may be allowed by the Court, priority claims totaling \$5,546.88 must be paid in advance of any dividend to general (unsecured) creditors.

Allowed priority claims are:

Claim No	Claimant	Allowed Amount of Claim	•	*
4P	Illinois Department of Revenue	1,270.34	0.00	1,270.34
13P	Department of the Treasury	4,276.54	0.00	4,276.54

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Total to be paid for priority claims: \$ 5,546.88

Remaining balance: \$ 3,911.22

The actual distribution to wage claimants included above, if any, will be the proposed payment less applicable withholding taxes (which will be remitted to the appropriate taxing authorities).

Timely claims of general (unsecured) creditors totaling \$ 238,459.96 have been allowed and will be paid *pro rata* only after all allowed administrative and priority claims have been paid in full. The timely allowed general (unsecured) dividend is anticipated to be 1.6 percent, plus interest (if applicable).

Timely allowed general (unsecured) claims are as follows:

Claim No	Claimant	Allowed Amount of Claim	Interim Payments to Date	Proposed Payment
1	DISCOVER BANK	12,175.35	0.00	199.70
2	Seyfarth Shaw, LLP	84,428.63	0.00	1,384.80
3	American Express Centurion Bank	23,508.96	0.00	385.59
4U	Illinois Department of Revenue	482.32	0.00	7.91
5	Us Dept Of Education	25,463.41	0.00	417.65
6	Us Dept Of Education	14,941.18	0.00	245.07
7	Us Dept Of Education	10,247.58	0.00	168.08
8	PYOD LLC its successors and assigns as assignee of	12,885.74	0.00	211.35
9	PYOD LLC its successors and assigns as assignee of	19,204.92	0.00	315.00
10	Midland Funding LLC	3,676.96	0.00	60.31
11	Fia Card Services, NA/Bank of America	28,415.89	0.00	466.08
13U	Department of the Treasury	3,029.02	0.00	49.68

Total to be paid for timely general unsecured claims: \$ 3,911.22

Remaining balance: \$ 0.00

Tardily filed claims of general (unsecured) creditors totaling \$ 0.00 have been allowed and will be paid *pro rata* only after all allowed administrative, priority and timely filed general (unsecured) claims have been paid in full. The tardily filed claim dividend is anticipated to be 0.0 percent, plus interest (if applicable).

Tardily filed general (unsecured) claims are as follows:

Claim No	Claimant	Allowed Amount Inter of Claim	rim Payments to Date	Proposed Payment
110		None	to Date	1 ayıncın
Total to be paid for tardy general unsecured claims:			\$	0.00
Remaining balance:		\$	0.00	

Subordinated unsecured claims for fines, penalties, forfeitures, or damages and claims ordered subordinated by the Court totaling \$ 0.00 have been allowed and will be paid <u>pro rata</u> only after all allowed administrative, priority and general (unsecured) claims have been paid in full. The dividend for subordinated unsecured claims is anticipated to be 0.0 percent, plus interest (if applicable).

Subordinated unsecured claims for fines, penalties, forfeitures or damages and claims ordered subordinated by the Court are as follows:

Claim No	Claimant	Allowed Amount of Claim	Interim Payments to Date	Proposed Payment
None				
Total to be paid for subordinated claims: \$		0.00		
Remaining balance: \$		\$	0.00	